

22872 Avenida Empresa,
Rancho Santa Margarita, CA 92688
(949) 713-8000

Applied
Medical



OFFICIAL

RECEIVED
CENTRAL FAX CENTER

DEC 23 2003

To: U.S. Patent and Trademark Office **From:** Richard L. Myers

Fax: (703) 872-9306 **Fax:** (949) 713-8206

Our Ref AUS-2136-AL **Date:** December 22, 2003

Re: Election in Response to Requirement
For Restriction **Pages:** 4 (including cover)

SERIAL NO: 10/052,297
Art Unit 3732

EXAMINER: EDUARDO C. ROBERT

Please see attached document:

1. ELECTION IN RESPONSE TO REQUIREMENT FOR RESTRICTION

I hereby certify that on December 23, 2003, I faxed
the above listed document(s) to facsimile number (703) 872-9306 of
the United States Patent and Trademark Office.

Barbara Johnson
Barbara Johnson

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGE AND CONFIDENTIAL INFORMATION INTENDED FOR THE USE OF THE
INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO
DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS
STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FAX IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO
US AT THE ADDRESS VIA THE U.S. POSTAL SERVICE.

#45
12-31-03
OFFICIALRECEIVED
CENTRAL FAX CENTER

DEC 23 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application:)	
Caldwell, et al.)	Docket No.: AUS-2136-AL
Serial No.: 10/052,297)	Examiner: Robert, Eduardo C.
Filed: January 18, 2002)	Art Unit: 3732
For: HAND ACCESS PORT DEVICE)	

US. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment, Fee
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

ELECTION IN RESPONSE TO REQUIREMENT FOR RESTRICTION

Dear Sir:

This election is filed in response to a Requirement for Restriction mailed December 10, 2003. A one month statutory period for response is set to end January 10, 2004.

Detailed Action

In the outstanding Office Action, the Examiner has required restriction among the following species of the claimed invention:

- I. Figure 1
- II. Figure 7
- III. Figure 8
- IV. Figure 10
- V. Figure 14
- VI. Figure 16
- VII. Figure 18
- VIII. Figure 19
- IX. Figure 21

AUS-2136-AL

The Examiner has required election of a single disclosed species for prosecution on the merits. In addition, the Examiner has required a listing of all claims readable on the elected species.

Election

Applicant provisionally elects for prosecution the claims of group 1 directed to Figures 1-6. This election is made without traversal relying on 37 C.F.R. §1.141 which will entitle Applicant to consideration of claims to additional species covered by an allowed generic claim.

Claims Readable on Elected Species

The following claims are believed to read on the elected species of group 1 (Figure 1). Claims 1-13 and Claims 43-48, including independent Claim 1.

Cancellation of Claims/Inventorship

Since many of the claims readable on elected group 1 are generic to other species, no claims are being cancelled at this time. Accordingly, the inventorship remains unchanged.

With the foregoing election of species and designation of claims, it is believed that all issues raised by the outstanding Office Action have been addressed.

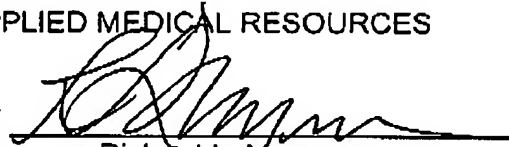
AUS-2136-AL

Accordingly, the Examiner's consideration of the Application on the merits is earnestly requested.

Respectfully submitted,

APPLIED MEDICAL RESOURCES

BY



Richard L. Myers
Reg No. 26,490
(949) 713-8332

Date: December 22, 2003